

Message Text

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ACTION EA-12

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FM AMCONSUL CHIANG MAI
TO AMEMBASSY BANGKOK IMMEDIATE NIACT
SECSTATE WASHDC IMMEDIATE 543

LIMITED OFFICIAL USE CHIANG MAI 298

E.O. 11652: N/A
TAGS: CARR, PINT, TH (MORSE, EUGENE, ET AL)
SUBJECT: AMERICAN MISSIONARIES ARRESTED ON CHARGES OF ILLEGAL LOGGING

REF: CHIANG MAI 292 AND PREVIOUS

SUMMARY: THE CHIANG MAI PROVINCIAL COURT HAS SET BAIL FOR THE FOUR MORSE MEN AT A TOTAL OF ONE MILLION BAHT (FIFTY THOUSAND DOLLARS). THE FAMILY EXPECTS TO RAISE THIS AMOUNT OVER THE WEEKEND AND WILL PRESENT IT TO THE COURT AT NINE A.M. ON MONDAY MORNING, AUGUST 7, AT WHICH TIME, WE HAVE BEEN TOLD, THE MORSES WILL BE RELEASED. IN THE MEANTIME, THEY ARE BEING HELD IN THE CHIANG MAI PROVINCIAL PRISON. END SUMMARY.

1. THE CHIANG MAI PROVINCIAL COURT SET BAIL FOR THE MORSE FAMILY LATE THIS AFTERNOON IN THE AMOUNT OF ONE MILLION BAHT (U.S. \$50,000). THE FAMILY ALREADY HAS AVAILABLE A PIECE OF PROPERTY VALUED AT 500,000 BAHT AND THEY HAVE INFORMED US THEY CAN RAISE THE REST OF THE AMOUNT. THE COURT HAS NOW CLOSED FOR THE WEEKEND, BUT THE JUDGE ASSURED A CONSULAR OFFICER THAT IF THE FAMILY COULD PRESENT THE BAIL AT 9:00 A.M.

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ON MONDAY MORNING, HE WOULD ORDER THE RELEASE OF THE DEFENDENTS. (UNDER THE THAI JUDICIAL SYSTEM, IN CASES LIKE THIS, BAIL CAN ONLY BE ACCEPTED DURING OFFICIAL WORKING HOURS.)

2. THE FOUR MORSE MEN WERE MOVED FROM MAE TAENG THIS MORNING AND APPEARED IN THE CHIANG MAI COURT THIS AFTERNOON IN A PROCESS REQUIRED UNDER THAI LAW IN

WHICH THE POLICE MUST REQUEST PERMISSION TO DETAIN THE DEFENDENTS FOR AN ADDITIONAL TWELVE DAYS WHILE THE INVESTIGATION CONTINUES. THE JUDGE, AS EXPECTED, APPROVED THE POLICE PETITION AND THEN APPROVED A REQUEST THAT BAIL BE ALLOWED. THIS IS A PROCEDURAL HEARING IN WHICH THE JUDGE DOES NOT EXAMINE THE EVIDENCE IN THE CASE, BUT ONLY APPROVES A POLICE MOTION THAT THERE IS GOOD REASON TO CONTINUE TO DETAIN THE DEFENDENTS WHILE THE POLICE CONTINUE THEIR INVESTIGATION.

3. THE CONSUL AND A CONSULATE FSL WERE IN THE COURT ROOM DURING THE PROCESS AND CONSULATE OFFICIALS HAVE MET CONTINUALLY THROUGH THE DAY WITH THE DEFENDENTS AND MEMBERS OF THE FAMILY.

4. THE MORSES HAVE NOW BEEN MOVED TO THE PROVINCIAL PRISON FOR THE WEEKEND. THE CONSUL WILL VISIT THE MEN AGAIN TOMORROW AND WE WILL CONTINUE TO KEEP IN CLOSE CONTACT WITH THE FAMILY AND THEIR REPRESENTATIVES OVER THE WEEKEND.

5. WE HAVE BEEN TOLD THAT THE POLICE ARE CONTINUING TO INVESTIGATE THE EVIDENCE AND TO INTERVIEW WITNESSES. IF THE INVESTIGATION IS NOT COMPLETED AT THE END OF THE TWELVE DAY PERIOD, THE POLICE WILL AGAIN HAVE TO REQUEST THAT THE COURT APPROVE CONTINUED DETENTION OF THE DEFENDENTS, AND THE ATTORNEY FOR THE DEFENDENTS WILL HAVE TO AGAIN REQUEST THAT BAIL BE CONTINUED.

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